

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>BCS SERVICES, INC., et al.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
<b>v.</b>	)	<b>No. 07 C 1367</b>
	)	<b>Consolidated with No. 05 C 4095</b>
	)	
<b>HEARTWOOD 88, LLC, et al.,</b>	)	<b>Chief Judge James Holderman</b>
	)	
<b>Defendants.</b>	)	<b>Magistrate Judge Maria Valdez</b>

**PLAINTIFFS' MOTION FOR RELIEF FROM PROTECTIVE ORDER**

Plaintiffs Phoenix Bond & Indemnity Co. and BCS Services, Inc. respectfully move this Court for relief from the Protective Order with respect to pro se litigants in this case. In support of the present motion, Plaintiffs state the following:

1. The Protective Order (Dkt. No. 322) enables parties to designate certain documents produced in this litigation that contain sensitive business and financial information as “Highly Confidential.” (*Id.* at ¶ 4.) Documents that are “Highly Confidential” are for “attorneys’ eyes only,” and may be viewed by counsel of record, but not by the parties themselves.
2. There are currently two parties in this litigation (Defendants Gregory Stec and Joseph Varan) who are not represented by counsel. Without attorneys to represent them, these pro se litigants have no access to documents that have been marked “Highly Confidential.”
3. It will be necessary for these parties to view “Highly Confidential” documents (which constitute the overwhelming majority of documents produced in this litigation), as such documents are used often, such as in exhibits to pleadings and discovery requests. Accordingly, plaintiffs seek relief from the Protective Order in connection with parties in this litigation who are not represented by counsel.

WHEREFORE, Plaintiffs Phoenix Bond & Indemnity Co. and BCS Services respectfully move the Court for relief from the Protective Order with respect to pro se litigants.

Dated: August 31, 2009

Respectfully submitted,

PLAINTIFFS PHOENIX BOND & INDEMNITY  
CO. and BCS SERVICES, INC.

By: /s/ Andrew L. Mathews  
One of Their Attorneys

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 31, 2009, a copy of the foregoing **Motion for Relief from Protective Order** was filed electronically. Notice of this filing will be sent by e-mail to the following parties by operation of the Court's electronic filing system or by U.S. Mail, postage pre-paid, to anyone unable to accept electronic filing. Parties may access the filing through the Court's system.

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